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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,741	08/13/2001	Eyal Bartfeld	18481-001	8349

7590 12/07/2007
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EXAMINER

LONSBERRY, HUNTER B

ART UNIT	PAPER NUMBER
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2623

MAIL DATE	DELIVERY MODE
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12/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/928,741

Applicant(s)

BARTFELD, EYAL

Examiner

Hunter B. Lonsberry

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 33-38 is/are allowed.
- 6) ☒ Claim(s) 27-30,32 is/are rejected.
- 7) ☒ Claim(s) 31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 27, 29-30, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,553,178 to Abecassis in view of Brunet (U.S. 5995590).

Considering claim 27, Abecassis discloses a set-top box (figure 5) in communication with the television messaging system (via communications module 502, column 51, line 50-column 52, line 17) and adapted to deliver a message through a television (column 52, lines 10-13, figure 13/14).

However, Abecassis fails to disclose a text to speech module executed in said television messaging system, and coupled to said text receiving module for transforming said text into speech, said text to speech module adapted to produce a voice output corresponding to said text; and, a voice delivery module adapted to deliver said output to a target messaging system capable of receiving voice messages.

In an analogous art, Brunet teaches a text to speech module executed in said television messaging system, and coupled to said text-receiving module for transforming said text into speech (Column 2 lines 51-58 teaches that the text may be transmitted and that the text to speech conversion may be done by locating apparatus 14 at the other end.

Figure 1 teaches the text to speech module element 12 coupled to the keyboard element 14), said text to speech module adapted to produce a voice output corresponding to said text (Column 2 lines 51-58 teaches a computer being used to convert text to speech before the message is transmitted); and, a voice delivery module adapted to deliver said output to a target messaging system capable of receiving voice messages (Figure 1 element 18 and Column 2 lines 31-34 teaches a voice delivery module, and Column 4 lines 27-32 and Figure 14 teach transmitting a voice message to a voice message receiver).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the messaging system of Abecassis using the text to speech converting system of Brunet for the benefit of allowing a person who is mute to carry out a conversation with a person that is deaf.

With regards to claim 29, it is met by the combination of Abecassis and Brunet. In particular, Abecassis teaches a step of delivering is performed by feeding said signals to a telephone network (column 21, lines 12-26) teaches the use of telephone lines).

Regarding claim 30, it is met by the combination of Abecassis and Brunet. In particular, Brunet teaches at column 2, lines 50-60 that the text to speech module can be located at either end of the connection.

As to claims 32, it is met by the combination of Abecassis and Brunet. Brunet discloses that the network may be a telephone network (column 21, lines 12-26).

5. Claims 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis(U.S. 6,553,178) in view of Brunet (U.S 5995590) and further in view of O'Neal (U.S. 6711154 B1).

Regarding claim 28, Abecassis and Brunet fail to teach said output delivery module is adapted to transmit said output to the target voice messaging system in a voice data file format.

In an analogous art O'Neal teaches said output delivery module is adapted to transmit said output to the target voice messaging system in a voice data file format (Column 8 lines 44-59 teaches converting a message to Real Audio format prior to delivery).

It would have been obvious for one of ordinary skill in the art at the time of invention to modify the combined systems of Abecassis and Brunet with the voice data file formatted message delivery system of O'Neal for the purpose of being able to access all of his/her messages, regardless of message type, via a unified system, from either a computer or telephone (Column 3 lines 45-47, O'Neal).

Allowable Subject Matter

Claims 31 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 33-38 are allowed.

Conclusion

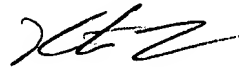
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 571-272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Hunter B. Lonsberry
Primary Examiner
Art Unit 2623

HBL